



DECISION MEMO
DRIVEWAY CONSTRUCTION - ROAD 7180 MAINTENANCE & USE
U.S. FOREST SERVICE
MENA-ODEN RANGER DISTRICT
POLK COUNTY, ARKANSAS

BACKGROUND

The purpose of this project is to provide access to a private inholding surrounded by National Forest System (NFS) land. Private land owner has requested to construct and maintain a road across NFS land to access a private inholding surrounded by NFS land located in Section 21, T1S, R 29W, Polk County Arkansas. The authorized driveway would be approximately 150 feet in length, extending from NFS Road 7180. In order to access the constructed driveway, Mr. Jeff Lewis would require year-round access on NFS Road 7180, which is not displayed on the most current (2019) Motor Vehicle Use Map MVUM; it is closed to public motorized use.

DECISION

I have decided to allow Mr. Lewis to construct, use and maintain a driveway across NFS land in Section 21, T1S, R 29W, Polk County Arkansas to access their private inholding. I also authorize their maintenance and use of NFS Road 7180 year-round. It would not be displayed on the MVUM; it would remain closed to public motorized use.

This activity falls into a category of action that may be excluded from documentation in an environmental impact statement (EIS) or an environmental assessment (EA), which the Chief of the Forest Service has determined will not have a significant effect on the human environment:

Approval, modification, or continuation of minor special uses of NFS lands that require less than five contiguous acres of land. (36 CFR 220.6(e)(3))

I find that there are no extraordinary circumstances that would warrant further analysis and documentation in an EA or EIS. I took into account resource conditions identified in agency procedures that should be considered in determining whether extraordinary circumstances might exist:

- Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species – The project “may affect, likely to adversely affect” the northern long-eared bat; however, there are no effects beyond those previously disclosed in the programmatic biological opinion on implementing the final 4(d) rule dated January 5, 2016, signed by Lynn Lewis. Any taking that may occur incidental to this project is not prohibited under the final 4(d) rule (50 CFR Section 17.40(o)). The project will have “no impacts” on the

sensitive Irons Fork burrowing crayfish and “beneficial impacts” on the sensitive monarch butterfly. (Project specific Biological evaluation and review was completed September 9, 2019). Concurrence was received September 24, 2019.

- Flood plains, wetlands, or municipal watersheds – there are no floodplains or jurisdictional wetlands within the project area and none will be impacted by project activities; the project area does occur within a municipal watershed. Activities are not expected to impact the municipal water supply. Road construction is modeled to contribute an estimated 1.17 tons of erosion and sediment (project file).
- Congressionally designated areas such as wilderness, wilderness study areas, or national recreation areas – none are present within the project area; none will be affected.
- Inventoried roadless areas or potential wilderness areas – none are present within the project area; none will be affected.
- Research natural areas – none are present within the project area; none will be affected.
- American Indians and Alaska Native religious or cultural sites – none are present within the project area; none will be affected.
- Archaeological sites, or historic properties or areas – none are present within the project area; none will be affected. SHPO concurrence was received on October 26, 2004.

PUBLIC INVOLVEMENT

A notice of the proposed action was mailed to subscribers of the District’s NEPA projects on September 20, 2019, soliciting comments on the project. No responses were received from the public.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

This decision is consistent with the Revised Forest Plan as required by the National Forest Management Act.

ADMINISTRATIVE REVIEW (OBJECTION) OPPORTUNITIES

Decisions that are categorically excluded from documentation in an Environmental Assessment (EA) or Environmental Impact Statement (EIS) are not subject to an administrative review process (pre-decisional objection process) (Agriculture Act of 2014, Subtitle A, Sec. 8006).

IMPLEMENTATION DATE

The project may be implemented immediately.

CONTACT

For additional information concerning this decision, contact Jade Ryles at 479-394-2382, 1603 Hwy 71 North, Mena, AR 71953.


NORMAN L. WAGONER
Forest Supervisor

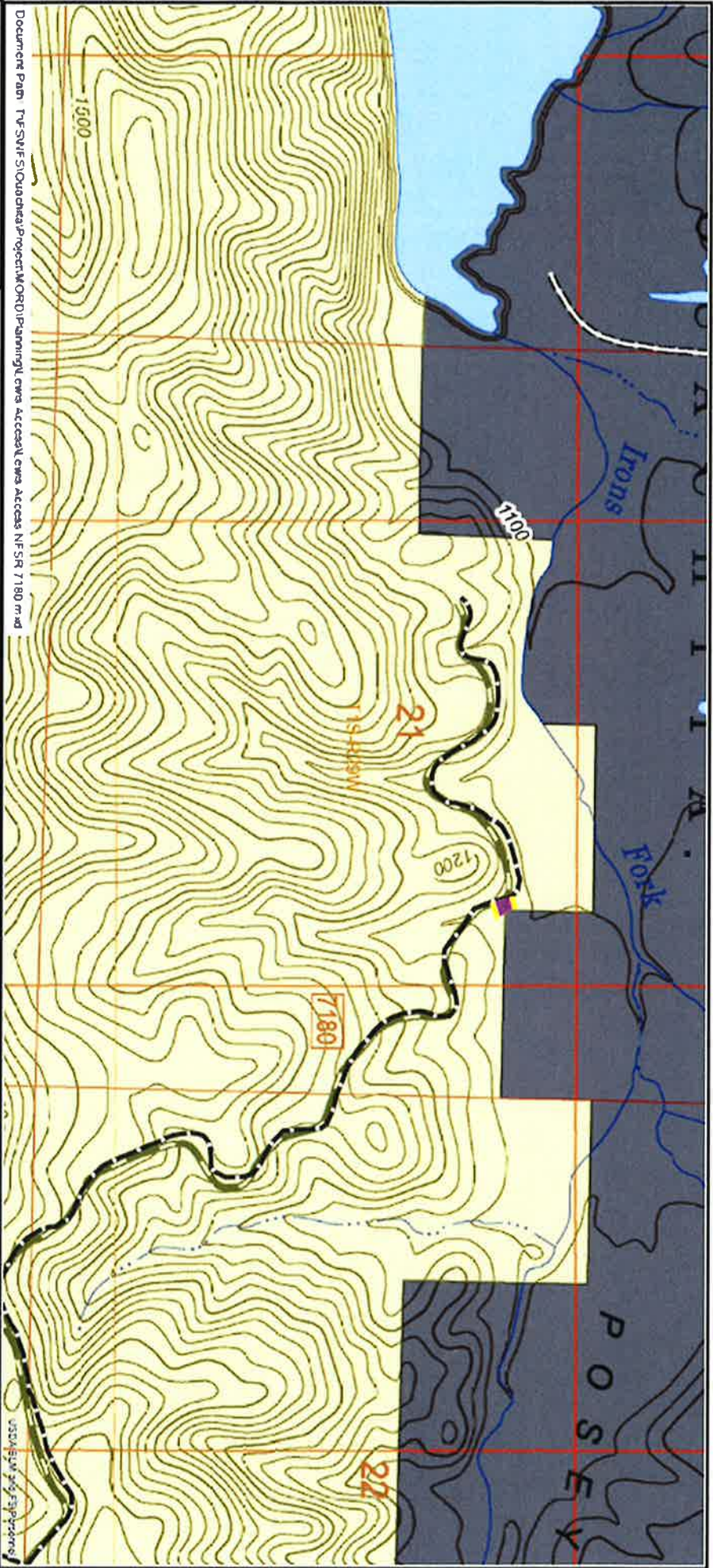
10/31/19
Date

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Overview Map



The USDA Forest Service makes no warranty, expressed or implied regarding the data displayed on this map, and reserves the right to correct, update, modify, or replace this information without notification.



- Legend**
- Lewis Access
 - Road
 - National Forest System Lands

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Special Use Permit Forest Service Road 7180	
Lewis Access	
Mena-Oden Ranger District Polk & Montgomery Counties, Arkansas	
U.S. Forest Service - R6 Ouachita National Forest	
For more information, contact the Mena Ranger District at 1603 Hwy 71 North, Mena, AR or phone (479) 394-2382.	